

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

MICHAEL A. STARCHER, et al.

Plaintiffs,

VS.

STATE FARM INSURANCE
COMPANIES, et al.,

Defendants.

CASE NO. 15-CV-01741

ORDER AND OPINION

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On July 23, 2015, Plaintiffs Michael Starcher et al. filed a complaint in the Court of Common Pleas, Cuyahoga County, Ohio, against Defendants State Farm Insurance Companies and UAW Retiree Medical Benefit Trust.^{1/} On August 28, 2015, Defendants filed a Notice of Removal under diversity jurisdiction.^{2/} On September 4, 2015, Plaintiffs filed a Motion to Remand to state court.^{3/} On September 25, 2015, this Court denied Plaintiffs' motion to remand.^{4/}

On September 1, 2015, the Cuyahoga County Court of Common Pleas made a nunc pro tunc entry dismissing Defendant UAW Retiree Medical Benefits Trust. That order indicated that Plaintiffs had filed a notice of dismissal as to Defendant UAW.

In their answer, Defendant State Farm points out that Plaintiffs named both “State Farm

^{1/}Doc. 1-2.

^{2/}Doc. 1.

^{3/}Doc. 5.

^{4/}Doc. 7.

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Insurance Companies” and “State Farm Mutual Automobile Insurance Companies” as Defendants.

Defendants indicate that “State Farm Insurance Companies” does not exist as a legal entity.^{5/}

For the reasons discussed above, the Court **ORDERS** Plaintiffs to file motion to dismiss UAW Retiree Medical Benefits Trust as a defendant. The Court also orders Plaintiffs to file a motion to dismiss erroneously named Defendant “State Farm Insurance Companies” and to instate “State Farm Mutual Automobile Insurance Companies” as the correctly named Defendant.

IT IS SO ORDERED.

Dated: December 9, 2015

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

^{5/}Doc. [1-3](#).